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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,993	08/21/2003	Jackson Chang	0941-0815P	7091

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EXAMINER

SHENG, TOM V

ART UNIT PAPER NUMBER

2629

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/644,993

Applicant(s)

CHANG ET AL.

Examiner

Tom V. Sheng

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 17-23 is/are rejected.
- 7) ☒ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Objections

1. Claim 4, 9, 12, 18 are objected to because of the following informalities:

As for claim 4, line 1, claim 12, line 1 and claim 18, line 2, "a seat" should be "the seat" since antecedent basis is already established with the amendment. As for claim 9, line 1 and claim 17, line 1, "an index unit" should be "the index unit" since antecedent basis is already established with the amendment. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 7-9, 11, 12, 14, 17, 18 and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lindeman (US 2003/0078069 A1).

As for claims 1, 4, Lindeman teaches an electronic device (portable communication device; fig. 1-4), comprising:

a body (housing portion 102) comprising a seat (groove 123; fig. 3; page 2, paragraphs 31-32);

a display unit (display 106) disposed on the body (page 2, paragraph 29); and

an index unit (housing portion 104) having a connecting end (tongue 125) coupled to the seat of the body (coupled as shown; fig. 3),

a first index port (first portion of a QWERTY keyboard) and a second index port (numeric keypad 121), moving between a first mode (PDA mode) to expose the first index port (when opened as in fig. 1) and a second mode (radiotelephone mode) to expose the second index port (when closed as in fig. 2), wherein the connecting end of the index unit is limited by the seat of the body when the index unit is moved between the first mode and the second mode (as the housing portion 104 is flipped between the open and closed states, the tongue 125 is always confined within the groove 123, as shown). See paragraphs 15, 17, 18, 20, 23, 25 and 27.

As for claim 2, the display 106 is used for visual feedback of entered characters (paragraph 15).

As for claim 3, it is inherent that in the open position, the first portion of the QWERTY keyboard is electronically connected to the display, and in the closed position, the numeric keypad 121 is electronically connected to the display.

As for claims 7, 12, Lindeman teaches an electronic device (portable communication device; fig. 1-4), comprising:

a first element (housing portion 102) comprising a seat (groove 123; fig. 3; page 2, paragraphs 31-32);

a second element (housing portion 104) coupled to the first element (housing portion 102) with at least one degree of freedom (housing portion 104 can be flipped or rotated with respect to housing portion 102, as shown in fig. 3 and 4); and

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an index unit (also the housing portion 104) comprising a connecting end (tongue 125) coupled to the seat of the first element (coupled as shown; fig. 3) with at least two degree of freedom (the flipping and rotation as analyzed above),

wherein the connecting end (tongue 125) of the index unit is limited by the seat of the first element when the index unit is moved with respect to the first element (as the housing portion 104 is flipped between the open and closed states, or is alternatively rotated between the open and closed states, the tongue 125 is always confined within the groove 123, as shown). See paragraphs 15, 17, 18, 20, 23, 25, 27 and 31-33.

As for claim 8, Lindeman teaches that the display 106 could alternately integrated into housing portion 104 (claimed second element). See page 2, paragraph 29.

As for claims 9, 11 and 17, the first portion of a QWERTY keyboard and numeric keypad 121 correspond to claimed first index port and second index port, respectively, and is connected electronically to the display 106 based on the open or closed state of the second housing portion 104.

Claims 14 and 18 are similarly rejected as claim 7 with Lindeman's inherent axis of flipping and axis of rotation corresponding to claimed first axis and second axis respectively.

As for claims 21-23, the tongue 125 does not slide with respect to the groove 123.

Claim Rejections - 35 USC § 103

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 6, 10, 13, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindeman.

As for claims 5, 13 and 19, Lindeman teaches that display 106 is integrated into the first housing portion 102. Lindeman does not teach that the display unit is disposed on both the first and second panels of the housing portion 102 (claimed body). On the other hand, one of ordinary skill in the art would recognize that a double-sided display is easily implementable and would provide convenient double sided viewing if desired. Obviously, cost would be higher but it is also reasonable to anticipate a demand for this feature even at a higher cost. Therefore, it would have been obvious to provide for a double-sided display based on anticipated although smaller demand.

As for claims 6, 10 and 20, the display 106 is inherently a flat panel display; however Lindeman does not teach the specific kind. On the other hand, one of ordinary skill in the art would recognize the common use of LCD as display in cell phones and the like nowadays. Therefore, it would have been obvious to one of ordinary skill in the art to use LCD as the display 106 because LCD is commonly used and has a small physical size and weight, suitable for use in a cell phone or the like.

Allowable Subject Matter

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6. Claims 15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-12, 14 and 17-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom V. Sheng whose telephone number is (571) 272-7684. The examiner can normally be reached on 9:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tom Sheng

AMR A. AWAD
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Amr A. Awad', with a large, sweeping flourish extending from the end of the signature.

Please enter
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11/10/06

REPLACEMENT SHEET

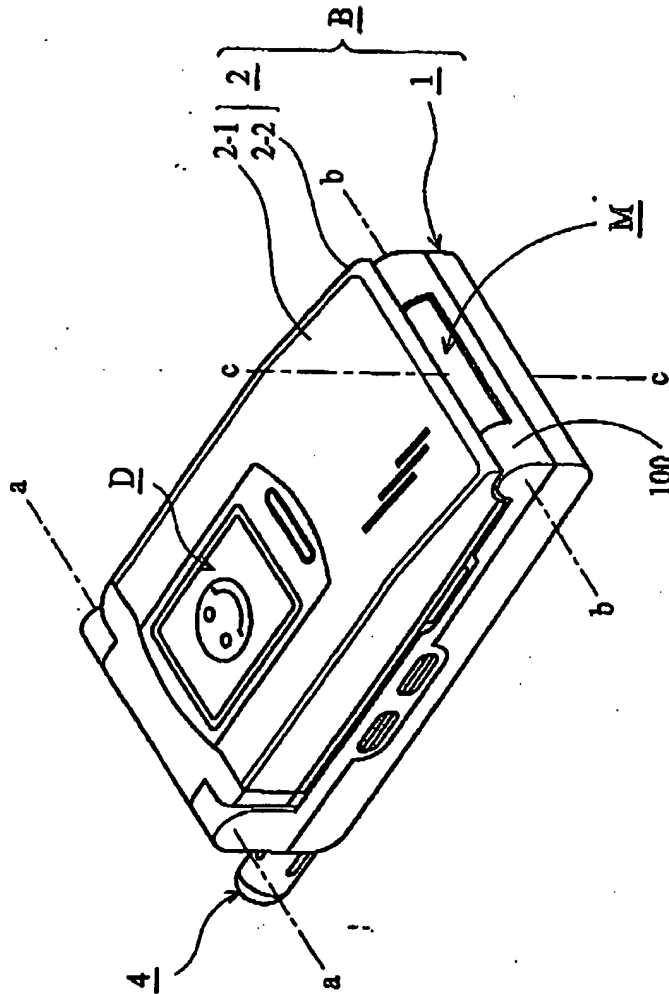


FIG. 1